

REMARKS

Claims 15-19, 22-30 and 33-36 are currently pending, among which claims 15 and 26 are independent claims.

Claim Rejections under 35 U.S.C. 103

Claims 15-19, 22-30 and 33-36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al (US Patent Publication No. 2007/0186240) in view of Waki et al (US Patent No. 7,194,758) and Kim (US Patent No. 6,546,002). Applicants respectfully submit that the subject matter recited in claims is not obvious over the cited references.

In the Office Action, the Examiner determined that Ward discloses a user attribute requester configured to request to the user if user attributes are not registered in the memory in relation to the identification of the instructing user. The Examiner's reliance on Ward is misplaced. Although Ward discloses that the EPG requests that the viewer provide certain profile information (paragraph 288), there are two things to note about the limitation.

First, in claim 15, the interface generator requests user attribute information in the claim context that the user interface generator searched the memory in response to an instruction for execution of a performance is received but could not find the user attribute information in the memory. Ward is totally silent about the claim context.

Second, in Ward, the the EPG requests the viewer to provide certain profile information. By contrast, the present invention does not ask a user to provide user attribute information, but in the present invention, user attribute information is stored in a mobile telephone.

The Examiner turned to Waki and indicated that Waki discloses a mobile phone used as a remote controller which can communicate with an instructional receiver and provide requested information to the receiving device. This characterization of Waki is wrong. In Waki, when the phone receives first transmission data from the receiving device (col. 19, lines 29-30), it generates second transmission data (col. 19, lines 40-43). The phone then sends the second transmission data to the host station (col. lines 44-47) not to the receiving device. Like Ward, Waki is silent about the claim context that the user interface generator searched the memory in response to an instruction for

execution of a performance is received but could not find the user attribute information in the memory.

Also, the Examiner hastily concluded in the Office Action that one of ordinary skill in the art would have used the special phone of Waki in the context of the Ward invention. Applicants respectfully disagree. Ward discloses a unique controller for the invention (Fig. 2). Ward has detailed discussions of the keys of the controller and their functions. It is wrong to assume that the special controller of Ward is replaceable with the general mobile phone of Waki.

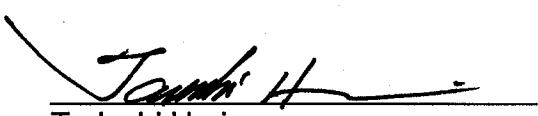
In addition to a lack of disclosure regarding the above claim context, Waki lacks a disclosure of user attribute information stored in a mobile phone. In this regard, the Examiner indicated in the Office Action that Kim discloses user attribute information stored in a mobile phone. Please note that nowhere in Kim, is user attribute information stored in a mobile phone. All Kim discloses is that a mobile interface agent can access user attribute information. Kim is silent about a mobile phone, except the embodiment shown in Fig. 15, which neither discloses nor teaches that user attribute information is stored in the mobile phone.

More importantly, Kim is silent about the claim context that the user interface generator searched the memory in response to an instruction for execution of a performance is received but could not find the user attribute information in the memory.

Applicants respectfully submit that the claimed invention is neither anticipated by nor would have been obvious in view of Ward, Waki and Kim, individually or in combination. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Respectfully submitted,

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200


Tadashi Horie
Registration No.: 40,437
Attorney for Applicant